

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 25-41260

330 WESTMINSTER ST MI LLC,

Chapter 11

Debtor.

Judge Thomas J. Tucker

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**SECOND ORDER REQUIRING DEBTOR TO AMEND DISCLOSURE STATEMENT**

On June 23, 2025, the Debtor filed an amended plan and disclosure statement, in a document entitled “Debtors [sic] First Amended Combined Plan and Disclosure Statement” (Docket # 36). The Court cannot yet grant preliminary approval of the disclosure statement contained within this document. The Court notes the following problems, which the Debtor must correct.

1. With regard to each of the classes of secured creditor treated on page 2 of the Plan (Classes 1-3), the Debtor must state that “This class is **impaired**.” Each class of secured claims is “impaired” within the meaning of 11 U.S.C. § 1124, despite the fact that each of the secured claims is to be paid in full under the plan, if and after the Debtor’s real property is sold.

2. The Plan does not contain a class consisting of the equity interest holder(s) of the Debtor. The Debtor must amend the Plan so that it includes a class of, and the treatment of, the equity interest holder(s). Unless otherwise provided in the plan or in an order confirming a Chapter 11 plan, the confirmation of a plan “terminates all rights and interests of equity security holders . . . provided for by the plan.” 11 U.S.C. § 1141(d)(1)(B). The Plan must state who will own the reorganized Debtor pending the sale of the 330 Westminster Street Detroit, Michigan property (*e.g.*, The Debtor must state whether Marc A. Cox will retain his sole shareholder

interest).

3. The Debtor must revise the following sentence in paragraph I.B of the plan on page 1: “Debtor proposes that the effective date of the plan will be the date of filing and that the Plan shall complete on December 1, 2025.” The effective date of the plan must be a date that is **after** the Court has entered an order confirming the plan (*e.g.*, “Effective Date” will be the first business day after the confirmation order becomes a Final Order.”).

Accordingly,

IT IS ORDERED that no later than **July 2, 2025**, the Debtor must file an amended combined plan and disclosure statement entitled “Debtor’s Second Amended Combined Plan and Disclosure Statement” that is consistent with this Order.

IT IS FURTHER ORDERED that no later than **July 2, 2025**, the Debtor also must file a redlined version of the Debtor’s Second Amended Combined Plan and Disclosure Statement, showing the changes the Debtor has made to the “Debtors [sic] First Amended Combined Plan and Disclosure Statement” filed June 23, 2025.

**Signed on June 24, 2025**



/s/ **Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**